

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT JAMES CLANCY,

Defendant.

CASE NO. CR02-46 RSL

AMENDED PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on September 18, 2006. The United States was represented by Janet Freeman. The defendant was represented by Carol Koller. The proceedings were digitally recorded .

CONVICTION AND SENTENCE

Defendant had been convicted of Fraudulent Use of Another Person's Identification, Access Device Fraud, and Bank Fraud on or about September 18, 2002. The Honorable Robert S. Lasnik of this court sentenced Defendant to 32 months and seven days of confinement, followed by five years of supervised release.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

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DEFENDANT'S ADMISSION

USPO Michael S. Larsen in a report dated August 9, 2006, alleged that Defendant violated the conditions of supervised release in the following respect:

- (1) Committing the crime of forgery on or about May 9, 2006, in violation of the standard condition that he violate no federal, state or local laws.

I advised the defendant of these charges and of his constitutional rights. At today's hearing the Court heard evidence in support of the alleged violations from USPO Michael Larsen. The evidence was uncontested.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based on the uncontroverted evidence taken, and the exhibits admitted at today's evidentiary hearing (Ex. Nos. 2 - 4), I recommend the court find Defendant violated the conditions of his supervised release as alleged, and set the matter for a disposition hearing. The next hearing will be set before Judge Lasnik.

Defendant was released on continued supervision pending a final determination by the court.

DATED this 4th day of October, 2006.



MONICA J. BENTON
United States Magistrate Judge

cc:	Sentencing Judge	:	Hon. Robert S. Lasnik
	Assistant U.S. Attorney	:	Janet Freeman
	Defense Attorney	:	Carol Koller
	U. S. Probation Officer	:	Michael Larsen